IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 11043 of 2007(S)

AGAINST THE ORDER IN IA 20/2007 IN OS.3/2007 of FAMILY COURT,KOLLAM
.....

PETITIONER:

GOPINATHAN PILLAI, LAKSHMI NIVAS,
MANAKKAD NAGAR, VADAKKEVILA, KOLLAM.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS:
---

1. S.REMADEVI, LAKSHMI NIVAS, MANAKKAD NAGAR, VADAKKEVILA, KOLLAM.

2. G.R.DEEPESH KUMAR, LAKSHMI NIVAS, MANAKKAD NAGAR, VADAKKEVILA, KOLLAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

.....

W.P.(C) No. 11043 OF 2007

.....

Dated this the 29th March, 2007

J U D G M E N T

Kurian Joseph, J:

Petitioner is the defendant in O.S.No. 3 of 2007 on the file of the Family Court, Kollam . Respondents are the plaintiffs in the Original Suit. The suit is filed for a decree of prohibitory injunction restraining the defendant/ petitioner herein from evicting the respondents from the plaint schedule property . It is seen from the pleading in this case that the petitioner has no such intention to forcefully evict the respondents. If that be so the only prayer is for a direction to the Family Court for expeditious disposal of the Original Suit.

In the circumstances, we direct the Family Court, Kollam to dispose of O.S. No. 3 of 2007 within a period of three months from the date of production of a copy of this judgment. We make it clear that in view of the relief sought for, notice is not issued to the respondent. However, the

petitioner will make available a copy of this Writ Petition and a copy of the judgment to the respondent as well as to the Family Court, Kollam.

KURIAN JOSEPH,
JUDGE.

K.T. SANKARAN,
JUDGE.

lk